

1 **Approved 12.12.2022**

2 **Vermont Nuclear Decommissioning Citizens Advisory Panel (VT NDCAP)**

3 **Monday, September 19, 2022**

4 **Zoom Webcast**

5 **Meeting Minutes**

6
7 VT NDCAP Members Present (via webcast):

- 8 • **Emily Davis**, *Citizen Appointee of former Senate President Pro Tempore Tim Ashe, Panel*
- 9 *Chair*
- 10 • **Jim Porter**, *Director of Public Advocacy, Public Service Department, designee for Public*
- 11 *Service Commissioner June Tierney for this meeting*
- 12 • **Lissa Weinmann** (*Brattleboro*), *Citizen Appointee of Senate President Pro Tempore Becca*
- 13 *Balint, VT NDCAP Federal Nuclear Waste Policy Committee Chair*
- 14 • **Madeline Arms**, *First Representative for the Town of Vernon*
- 15 • **Todd Amato**, *Second Representative for the Town of Vernon*
- 16 • **Chris Campany**, *Executive Director of the Windham Regional Commission (WRC)*
- 17 • **Trish Coppolino**, *Department of Environmental Conservation (DEC) Waste Management*
- 18 *and Prevention Division Environmental Program Manager, Designee for the Secretary of*
- 19 *Natural Resources*
- 20 • **Corey Daniels**, *Senior ISFSI Manager, NorthStar Vermont Yankee*
- 21 • **Bill Irwin**, *Radiological & Toxicological Sciences Program Chief, Designee for the*
- 22 *Secretary of Human Services*
- 23 • **Brett Long**, *Deputy Commissioner of Economic Development, Designee for the Secretary*
- 24 *of Commerce and Community Development*
- 25 • **David Pearson**, *Vice-President and Regional Manager, NorthStar Group Services*
- 26 • **Bob Leach**, *Citizen Appointee of Governor Phil Scott (joined meeting at ~7:35 PM)*

27
28 The following NDCAP members were absent from the meeting:

- 29 • **Josh Unruh**, *Citizen Appointee of Governor Phil Scott, Panel Vice-Chair*
- 30 • **VT State Senator Mark MacDonald**, *Member of the Senate Committee on Natural*
- 31 *Resources and Energy*
- 32 • **Marvin Resnikoff**, *Citizen Appointee of former Speaker of the House Mitzi Johnson*
- 33 • **VT State Representative Laura Sibilia**, *Member of the House Committee on Energy &*
- 34 *Technology*

35
36 There are currently three vacancies on the Panel (one Vermont House Speaker Citizen-Appointee and

37 the two optional representatives from Massachusetts and New Hampshire, respectively).

38

39 The meeting was called to order at 6:00 PM; a recording of the meeting webcast is available online at

40 <http://publicservice.vermont.gov/electric/ndcap> and at

41

1 [https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-91922-](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-91922-mtg)
2 [mtg.](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-91922-mtg)
3

4 **Welcome, Opening Remarks & Overview of Meeting Agenda:**

5 Panel Chair Emily Davis briefly welcomed everyone to the meeting and outlined the planned agenda
6 (mostly status reports on Vermont Yankee's decommissioning activities). A Panel Roll call was
7 conducted to confirm a quorum. The Panelists present briefly introduced themselves during the roll call.
8 With 11 Panelists initially connected to the Zoom webcast, a quorum was present (9 Panelists required).
9

10 Approximately 10 members of the public (not including 3 Panel Staff members) connected to the
11 webcast.
12

13 **Amendments to the Meeting Agenda:** A copy of the meeting agenda is available at
14 <https://publicservice.vermont.gov/content/meeting-agenda-09-19-2022>.
15

16 No changes to the meeting agenda were offered or made.

17 **Review and Approval of Meeting Minutes:** *This segment begins at 0:04:15 on the meeting video.*

18 The May 9, 2022 draft meeting minutes were reviewed. Panel Chair Emily Davis requested that the
19 spelling of Ann Darling's name be corrected at several points in the draft (draft incorrectly listed spelling
20 as "Anne" rather than "Ann"). State Nuclear Engineer Tony Leshinskie requested a correction to one
21 typo on Page 5 of the draft. These requests resulted in the following changes being made:
22

- 23 - On Page 5, Line 6, change "hos" to "how"
- 24 - On Page 5, Line 11 and Page 5, Line 31, change "Anne" to "Ann"
- 25

26 No other changes to the draft minutes were requested by the Panelists present. Emily Davis moved to
27 approve the May 9, 2022 meeting minutes as amended. Chris Campany seconded the motion. The
28 motion was approved by yeas and nays. No nays or abstentions were heard (11-0 vote with no
29 abstentions).
30

31 **NorthStar Update on VY Site Decommissioning Activities:** *NorthStar's presentation begins at* 32 *0:06:15 in the meeting video.*

33 Panel Member Corey Daniels, NorthStar Senior ISFSI (spent fuel storage) Manager at Vermont Yankee,
34 presented a summary of recent site decommissioning activities. The slides for this presentation are
35 available at: <https://publicservice.vermont.gov/electric/ndcap> in the "Meeting of September 19, 2022"
36 section.
37

38 NorthStar continues to work without OSHA Recordable Lost Time Accident since starting VT Yankee's
39 active decommissioning in January 2019. The Nuclear Regulatory Commission (NRC) has issued no cited
40 violations, nor have there been any non-cited violations, during this time. Progress on dismantling the
41 Reactor Building (RB) components and the demolition of other onsite structures was described. The
42 Control Room and the RB Computer Room have been completely cleared of components.
43 Approximately 40 miles of cabling has been cleared from the Cable Spreading Room. Demolition of the
44 Control Block Building (which housed the Control and Computer Rooms) has begun. Preparations for
45 Turbine Building demolition continue.

Excavation and downsizing of the Interim Off-Gas (IOG) System was discussed, as was land regrading at the Cooling Towers site. Recent progress on creating a new accessway between the Reactor and Turbine Buildings was described. A monorail system is being constructed for this accessway to facilitate removal of the RB Torus structure. Clearing of Torus structure internal components was described. Segmentation and removal of the remaining portions of the Reactor Vessel (RV) were described. RV removal has completed; demobilization of equipment used for RV segmentation is underway.

NorthStar continues to average 3 to 4 radioactive waste shipments per week, for an average of 11 shipments per month. Approximately 467 radioactive waste shipments have occurred to date.

State Agencies' Updates on VY Decommissioning:

These presentations begin at 0:25:15 in the meeting video.

Agency of Natural Resources (ANR) / Department of Environmental Conservation (DEC):

Panel Member Trish Coppelino, ANR / DEC Waste Management and Prevention Division Program Manager, provided this update. The slides for this presentation are available at: <https://publicservice.vermont.gov/electric/ndcap> in the "Meeting of September 19, 2022" section.

DEC's ongoing interactions with VT Yankee were outlined (bi-weekly status calls, draft permit reviews, and corrective action plan reviews). Sampling programs for non-radiological contaminants continue to show no significant contamination issues at the VY site. No unexpected site contaminations have been identified thus far. ANR/DEC continues to work closely with NorthStar's remediation contractor, Haley & Aldrich, and DEC's consultant, Atlas, on plans for addressing potential contaminant issues in VT Yankee site's previously identified Areas of Concern (AOCs). DEC is currently reviewing VT Yankee's annual groundwater monitoring report, which was received in June as required. Due to ongoing structure demolitions onsite, DEC's groundwater monitoring program is currently down to four sampling wells. The monitoring program has collected data for over three years without identifying new causes for concern. Additional monitoring wells will be sampled as onsite demolitions complete.

As expected, recent samplings for PFAS (per- and polyfluoroalkyl substances) have identified several contaminated locations. However, the environmental impacts are expected to be minor; the contamination levels are only slightly above EPA limits. Samplings for PCBs and Volatile Organic Compounds (VOCs) continue.

Corrective Action Plans for addressing contaminations in onsite AOC #5 and AOC #7 are currently available for public comments. These planned remediations, once fully approved, would occur sometime in 2023.

Public Service Department (PSD):

This presentation begins at 0:33:20 in the meeting video. Jim Porter, PSD Director for Public Advocacy made this presentation. Nick Capik and Mark Gmyr of Four Points Group (FPG), PSD's consultants for overseeing the financial and technical details of VT Yankee's Decommissioning, were also present to provide additional details as needed. The slides for this presentation are available at: <https://publicservice.vermont.gov/electric/ndcap> in the "Meeting of September 19, 2022" section.

1 PSD's financial and technical oversight role was outlined, which includes receiving updates on work
2 completed versus work remaining and project expenditures versus funds remaining. PSD coordinates
3 with other State Agencies and FPG to assess project status and whether decommissioning trust fund
4 reimbursement requests are consistent with the work completed. PSD also meets with NorthStar
5 regularly to conduct any follow-up necessary on NorthStar's self-reporting. Regular site visits by FPG are
6 conducted to observe completed work. The most recent visit was on July 18. Like previous site visits,
7 the observed project progress was consistent with that described in NorthStar's most recent (May and
8 June 2022) status reports.

10 Updates on the Decommissioning and Site Restoration Trust Funds were provided. As of August 31,
11 approximately \$211.3 million remains in the Decommissioning Trust; approximately \$51.7 million
12 remains in the Site Restoration Trust. As of August 30, the projected cost to complete Site Restoration is
13 \$12.6 million. However, the projected cost to complete Decommissioning and License Termination is
14 \$214 million, meaning that there is currently a shortage in the Decommissioning Trust Fund. PSD
15 believes that the current Decommissioning Trust shortage is reflective of rising interest rate impacts on
16 the Decommission Trust investments. Jim Porter further noted that the Decommissioning and Site
17 Restoration Trust balances do not include the \$55 million Financial Assurance Escrow required by
18 Paragraph 2(c) of the Memorandum of Understanding (MOU) established for VT Yankee's
19 decommissioning. Overall, NorthStar remains on track to complete the project on schedule with the
20 currently available funding.

22 **Additional Agency Reports:** *This summary begins at 0:40:15 on the meeting video.*

23 Panel Member Bill Irwin, Radiological & Toxicological Sciences Program Chief, added that Vermont
24 Department of Health continues to be satisfied with the reporting NorthStar has provided to date. They
25 indicate that the project is moving forward reasonably and responsibly.

27 **Panelist Questions on NorthStar and State Agencies' Reports:**

28 *Panelist questions on these presentations begin at 0:41:05 on the meeting video.*

30 Bill Irwin asked for additional details on the site dewatering efforts noted in the annual groundwater
31 monitoring report submitted to DEC. In response, Corey Daniels indicated that intrusion water
32 continues to be collected initially for storage (frack) tanks and is then subsequently shipped offsite for
33 disposal.

35 **Public Questions on NorthStar and State Agencies' Reports:**

36 *Public questions on these presentations begin at 0:44:40 on the meeting video.*

38 Ann Darling (Citizens Awareness Network, Easthampton, MA) asked whether all VT Yankee waste
39 shipments are being sent to WCS in Texas. Corey Daniels replied that this was correct for all radioactive
40 materials but noted some pre-release (non-radiological / non-hazardous) materials are being shipped to
41 industrial disposal facilities. In a follow-up question, Ms. Darling asked about the Reactor Vessel being
42 shipped offsite. Wasn't that highly radioactive? In response, Corey Daniels noted that the Reactor
43 Vessel still qualified as Low-Level Radioactive Waste. Only spent nuclear fuel qualifies as High-Level
44 Radioactive Waste. The next most radioactive waste category, Greater Than Class C (GTCC) radioactive
45 waste is the only low-level radioactive waste category that cannot be shipped. VT Yankee's GTCC waste

1 consists of several Reactor Vessel internal components, but not the Reactor Vessel itself. VT Yankee's
2 GTCC waste is expected to be moved to the onsite Spent Fuel Storage Facility (aka the Dry Cask Storage
3 pads or ISFSI) within the next month.

4
5 Tony Leshinskie (VT State Nuclear Engineer) asked that since segmentation of VT Yankee's Reactor
6 Vessel has completed, is Orano's involvement on the decommissioning project winding down? Corey
7 Daniels replied that Orano is still responsible for some Spent Fuel Pool clean-up and several tasks related
8 to transferring the GTCC Waste to the Vermont Yankee ISFSI. However, Orano's work at VT Yankee is
9 coming to an end.

10
11 **Early General Comments:** *Comments begin at 0:50:20 on the meeting video.*

12
13 Ann Darling (Citizens Awareness Network) reiterated her comments at previous meetings that the Panel
14 needs more public outreach. Citizens Awareness Network is open to assisting the Panel with this. Ms.
15 Darling also noted that the Panel had problems meeting quorum at its last meeting. Vacancies on the
16 Panel need to be filled.

17
18 Panelist Lissa Weinmann asked when NorthStar anticipates completing active decommissioning (minus
19 moving spent fuel from the site)? Corey Daniels replied that NorthStar anticipates the 2030 deadline for
20 the VT Yankee's decommissioning by at least a few years. Active decommissioning could complete as
21 early as 2026. However, this early end date does not include time for completing all site release
22 activities. Those could complete in 2027, assuming that ongoing decommissioning work continues to
23 progress smoothly. NorthStar's overall goal is to do the decommissioning project right with the
24 currently available funding. The project remains on track to be completed within the available budget.

25
26 Panelist Chris Campany added that the Statute establishing the Panel will need to be revisited once
27 active decommissioning is complete. Tony Leshinskie added that to that end, he attended the 2019
28 annual meeting of the Yankee Rowe Spent Fuel Storage Facility's Community Advisory Panel. The
29 organization of that Panel could serve as a model for the VT NDCAP once VT Yankee's active
30 decommissioning is complete. The Yankee Rowe Panel did not meet in 2020 or 2021 due to the
31 Pandemic. Tony plans to attend the Panel's 2022 meeting, which will likely occur sometime in early
32 November.

33
34 **Panel Membership Changes & Administrative Items:** *These discussions begin at 1:02:30 on the*
35 *meeting video.*

36
37 **Membership Changes:** Panel Chair Emily Davis noted that Sara Coffey's term on the Panel expired at
38 the end of August. She declined reappointment. Accordingly, there are now three vacancies on the
39 Panel, the Massachusetts Towns representative, the New Hampshire Towns representative and one of
40 two citizen appoints by the Vermont House Speaker (Sara Coffey's former position on the Panel). Emily
41 reported that the House Speaker's Office is looking for recommendations for a new appointee. If
42 anyone on the Panel has suggestions, they can be forwarded to Emily.

43
44 State Nuclear Engineer Tony Leshinskie added that filling a Panel vacancy is easier when there is a
45 volunteer willing to accept the position. He noted that the New Hampshire Towns Representative was

1 vacant for several months but was filled rather quickly once Mr. Paul Wolossow expressed interest in
2 the position. Unfortunately, Mr. Wolossow passed away unexpectedly before he could participate in a
3 Full Panel meeting.

4
5 Chris Campany noted that it was likely easier to recruit potential Panel members when there were still
6 “groundworks” discussions for VT Yankee’s decommissioning. Discussing plans and items such as the
7 PSDAR (Post-Shutdown Decommissioning Activities Report) were likely more interesting **than** the Panel’s
8 more recent meetings discussing the steady progress of the decommissioning project. Chris suggested
9 that the Press present this evening report that the Panel is looking for new members.

10
11 Emily Davis proposed drafting a press release highlighting the Panel’s recent work and noting that it is
12 looking **for** new members to fill several vacancies. After additional discussion, the Panel agreed with this
13 idea. Emily agreed to have a draft of the press release available at the next Full Panel meeting.

14
15 Lissa Weinmann suggested that Ann Darling should be considered as a candidate for the Massachusetts
16 Town Representative on the Panel. Ann Darling stated that she was hesitant to do so since she
17 represents Citizens Awareness Network **at** VT NDCAP meetings.

18
19 Jim Porter (Public Service Commissioner June Tierney’s designee for tonight’s meeting) added that the
20 Commissioner’s Office may be uncomfortable with recommending a Panel appointee to the
21 Massachusetts or New Hampshire Governor’s Office (the respective appointing authorities for the
22 Massachusetts and New Hampshire Town Representatives).

23
24 Ann Darling added that a new Massachusetts Governor will be elected in November. They may be more
25 amenable to appointing someone to the Panel.

26
27 After additional discussion, the Panel agreed that the proposed press release would focus on filling the
28 vacant Vermont House Speaker’s appointee position.

29
30 **Panel Notifications on NRC Decommissioning Rulemaking:** Panel Chair Emily Davis noted that an
31 opportunity for public comments on the NRC’s Decommissioning Rulemaking recently closed without
32 the Panel discussing whether it wanted to consider commenting on these propose rules. Emily asked
33 whether the Panel wished to pursue comments on this Rulemaking.

34
35 State Nuclear Engineer Tony Leshinskie briefly outline the history of this NRC Rulemaking effort, which
36 began in late 2015, when the NRC published a detailed questionnaire on decommissioning-related
37 topics for which it was considering rulemaking. Several Vermont Agencies provided a set of combined
38 comments on the questionnaire in early 2016, which were endorsed by Massachusetts, New York, and
39 Connecticut. Follow-up comments were provided to the NRC in mid-2017. The currently proposed NRC
40 decommissioning rules focus on transitioning an operating power plant to active decommissioning.
41 Vermont Yankee’s decommissioning is well past this phase. The rules, as currently proposed, would not
42 impact Vermont Yankee’s decommissioning. Because of this, the rulemaking effort has not been a high
43 priority for the State Nuclear Engineer. Nonetheless, when asked to endorse comments from New York
44 State on the currently proposed rules, the State Nuclear Engineer recommended that Vermont endorse
45 them since they reiterated the comments that Vermont filed in early 2016 and mid-2017.

1 Chris Campany added Windham Regional Commission has filed comments on decommissioning
2 rulemaking for decades. The comments have not changed much in that time, but WRC is open to
3 hearing or suggesting Panel Positions.

4
5 Lissa Weinmann suggested that the Panel may want to endorse decommissioning rulemaking comments
6 filed by other organizations, such as the International Brotherhood of Electrical Workers (IBEW).
7 However, Lissa also noted that the Panel may have more critical topics to consider, such as spent
8 nuclear fuel disposal policies.

9
10 Panel Chair Emily Davis asked if any Panel members felt that the Panel should review the NRC's
11 decommissioning rulemaking further. No replies were heard. Consensus was reached that the Panel
12 should consider endorsing IBEW's comments on the NRC's decommissioning rulemaking.

13
14 The Panel then discussed improving notifications of upcoming decommissioning-related actions. After
15 requesting clarification, Tony Leshinskie agreed to keep the Panel informed on any requests from
16 Federal Agency regarding decommissioning-related topics, as well as any significant State actions in
17 decommissioning-related topics.

18
19 The Panel briefly discussed the use of the PSD.NDCAP@vermont.gov email address for notifications on
20 decommissioning topics and Panel business. Tony Leshinskie noted that this email address is a
21 distribution list. To receive messages from it, Panel members must sign-up for the distribution list. Sign-
22 up requests can be sent to Tony. Tony noted that many of the messages received by the
23 PSD.NDCAP@vermont.gov address are spam.

24
25 Panel Chair Emily Davis noted that US Department of Energy published its initial report on received
26 Consent-Based Siting Process comments on September 15. More information on the next steps in the
27 process will be available soon.

28
29 Emily Davis also noted that she and Commissioner Tierney will be providing testimony on the Panel's
30 work to the Vermont Sunset Commission on September 21. The Commission's meeting will be
31 conducted via Zoom.

32 33 **Update on Federal Nuclear Waste Policy (FNWP) Committee Activities:**

34 *This discussion begins at 1:42:20 on the meeting video.*

35
36 FNWP Committee Chair Lissa Weinmann provided a verbal summary of recent Committee activities. The
37 Committee has been less active over the summer but continues to learn about nation nuclear waste
38 policy issues. The Committee had planned to meet on August 22 with what looked to be a rather
39 interesting speaker, but that meeting had to be postponed when the speaker became unexpectedly
40 unavailable. The Committee is still looking to reschedule its August 22 meeting.

41 State Nuclear Engineer Tony Leshinskie provided additional details. Oliver Edelson, Legislative Assistant
42 to California Congressional Representative Mike Levin has agreed to speak to the FNWP Committee.
43 Congressman Levin co-chairs the Congressional Spent Nuclear Fuel Solutions Caucus. Mr. Edelson
44 administers the Caucus. Based on preliminary discussions that Tony has had with Mr. Edelson, the
45 Caucus is in a learning phase on nuclear waste policies similar to that of the FNWP Committee. The

1 Caucus is starting an outreach to other organizations interested in nuclear waste policy issues. The
2 Panel may find opening a discussion with the Caucus to be beneficial.

3
4 Based on Mr. Edelson's availability, the FWNP Committee's next meeting has been rescheduled to
5 Monday, October 3 from noon to 1:30 PM. A press release for this meeting will be published this week.

6
7 **General Public Comments to the Panel:** *Comments begin at 1:51:20 on the meeting video.*
8 Ann Darling (Citizens Awareness Network) thanked the Panel for its discussions this evening on
9 enhancing outreach.

10
11 **Meeting Wrap-Up:**

12 The Panel's next meeting will be on December 12. Based on tonight's discussions, this meeting will
13 consider endorsing IBEW comments on the NRC's ongoing Decommissioning Rulemaking. Additionally, a
14 draft press release outlining the Panel's efforts and its search for new members will be discussed.
15 Officer elections for 2023 will be conducted. Tony Leshinskie added that the first draft of the Panel's
16 Annual Report to the Legislature will need to be reviewed. Tony expects to have the draft circulated to
17 Panel members at least one week prior to the December 12 meeting.

18
19 **MEETING ADJOURNED AT 7:56 PM.**